

# Eligibility for Coverage

## Who is eligible

You are eligible for coverage if you are a **part-or full-time, salaried, classified employee**; or a **regular, full-time or part-time salaried faculty**. Your eligible dependents also may be covered. **Retirees, long-term disability participants and survivors** may also be eligible for coverage. Contact your agency's Benefits Administrator for assistance.

You may choose your **type of membership** as follows:

- **Employee/retiree single** – to cover yourself only
- **Employee/retiree plus one** – to cover yourself and one eligible dependent
- **Family** – to cover yourself and two or more eligible dependents

**Members who cover ineligible persons may be removed from the program for a period of up to three years.** In addition, the member will be responsible for claims paid in error and will be unable to reduce health benefits membership except within 31 days of the dependent's loss of eligibility or during Open Enrollment.

**The following dependents are eligible for coverage under your health plan:**

### **The employee's spouse**

The marriage must be recognized as legal in the Commonwealth of Virginia.

### **The employee's children**

Under the health benefits program, the following eligible children may be covered to the end of the year in which they turn age 23 regardless of student status (age requirement is waived for adult incapacitated children), if the child lives at home or is away at school, is not married and receives over one-half of his or her support from the employee.

- **Natural and Adopted Children:** In the case of natural or adopted children, living at home may mean living with the other parent if the employee is divorced.
- Also, **if the biological parents are divorced** the support test is met if a natural or adopted child receives over one-half of their support from either parent or a combination of support from both parents. However, in order for the non-custodial parent to cover the child, the non-custodial parent must be entitled to claim the child as a dependent on his federal income tax return, or the custodial parent must sign a written declaration that he or she will not claim the child as a dependent on their federal income tax return.
- **Stepchildren:** Unmarried stepchildren living with the employee in a parent-child relationship. However, stepchildren may not be covered as a dependent unless their principal place of residence is with the employee, and the child is a member of the employee's household. A stepchild must receive over one-half of his or her support from the employee.
- **Incapacitated Children:** Adult children who are incapacitated due to a physical or mental health condition, as long as the child was covered by the plan and the incapacitation existed prior to the termination of coverage due to the child attaining the limiting age. The employee must make written application, along with proof of incapacitation, prior to the child reaching the limiting age. Such extension of

coverage must be approved by the plan and is subject to periodic review. Should the plan find that the child no longer meets the criteria for coverage as an incapacitated child, the child's coverage will be terminated at the end of the month following notification from the plan to the enrollee.

•**Adult incapacitated children of new employees** may also be covered provided that:

- ♦The enrollment form is submitted within 31 days of hire;
- ♦The child has been covered continuously by group employer coverage since the disability first occurred; and
- ♦The disability commenced prior to the child attaining the limiting age of the plan.
- ♦The enrollment form must be accompanied by a letter from a physician explaining the nature of the incapacitation, date of onset and certifying that the dependent is not capable of self-support. This extension of coverage must be approved by the plan in which the employee is enrolled.

•**Other Children:** A child in which a court has ordered the employee to assume sole permanent custody. The principal place of residence must be with the employee, and the child must be a member of the employee's household.

•Additionally, **if the employee or spouse shares custody with the minor child** who is the parent of the "other child", then the other child may be covered. The other child, the parent of the other child, and the spouse who has custody must be living in the same household as the employee.

•**When a child loses eligibility**, coverage terminates at the end of the month in which the event that causes the loss of eligibility occurs.

## Who is not eligible

There are certain categories of persons who **may not be covered as dependents** under the program. These include:

- divorced spouses\*
- parents
- grandparents
- aunts
- uncles
- dependent siblings\*\*
- grandchildren\*\*
- nieces\*\*
- nephews\*\*
- stepchildren unless both of these conditions are met:
  - 1) the stepchild lives with the member in a parent-child relationship, and
  - 2) the stepchild receives over one-half of his or her support from the employee
- dependent child after the end of the month in which the child marries
- children age 19 or older and not receiving over one-half of his or her support from the employee

\*A court order to provide coverage for an ex-spouse does not make the ex-spouse eligible for coverage under this plan.

\*\*The Department of Human Resource Management may determine when children who normally would not be eligible satisfy the criteria for "other children".

